

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

ALEXANDRIA CARPENTER

PLAINTIFF

v.

CIVIL ACTION NO.: 3:20-cv-259-CWR-LRA

BELK STORES OF MISSISSIPPI, LLC

DEFENDANT

**COMPLAINT
JURY TRIAL DEMANDED**

COMES NOW the Plaintiff, Alexandria Carpenter, by and through counsel, Watson & Norris, PLLC, and files this action to recover damages for violations of her rights under Title VII and 42 U.S.C. §1981 - Race Discrimination against Defendant Belk Stores of Mississippi, LLC. In support of this cause, the Plaintiff would show unto the Court the following facts to-wit:

THE PARTIES

1. Plaintiff, Alexandria Carpenter, is an adult black female and is a resident citizen of Jones County, Mississippi.

2. Defendant, Belk Stores of Mississippi, LLC, is a Mississippi Limited Liability Corporation that may be served with process through its registered agent: National Registered Agents, Inc., 645 Lakeland East Drive, Suite 101, Flowood, Mississippi 39232.

JURISDICTION AND VENUE

3. This Court has federal question jurisdiction and venue is proper in this court.

4. Plaintiff timely filed a Charge of Discrimination with the EEOC, on January 22, 2020, a true and correct copy of which is attached as Exhibit "A." The EEOC issued

a Dismissal and Notice of Right to Sue on January 30, 2020, a true and correct copy of which is attached as Exhibit "B." Plaintiff timely files this cause of action within ninety (90) days of receipt of her Dismissal and Notice of Right to Sue.

STATEMENT OF FACTS

5. Defendant initially hired Plaintiff in July 2010 to work in the Cosmetic Department.

6. Plaintiff worked for the Defendant off and on until Plaintiff voluntarily resigned on April 15, 2019 in good standing with the Defendant. Plaintiff left to work for Mississippi Department of Medicaid.

7. In September 2019, Plaintiff re-applied with Defendant for a vacant position in the Clinique Beauty Department with the Defendant.

8. On October 28, 2019, the Defendant informed Plaintiff that she was not selected/rehired.

9. When Plaintiff asked the Regional Manager, Laura Carey, why the Defendant would not rehire her, she could not give Plaintiff a reason, and she also told Plaintiff she saw no good reason why was not re-hired since Plaintiff had no history of any write ups, customer complaints, etc.

10. The Defendant rehired two Caucasian females, Katie Beverly and Dusti West, who had also voluntarily resigned several times with the Defendant; however, neither one of them left their employment with Defendant in good standing.

11. The Defendant discriminated against Plaintiff based on Plaintiff's race (Black) in violation of Title VII of the Civil Rights Act of 1964 as amended.

CAUSES OF ACTION

COUNT I: VIOLATION OF TITLE VII and 42 U.S.C. 1981 - RACE DISCRIMINATION

12. Plaintiff re-alleges and incorporates all averments set forth in paragraphs 1 through 11 above as if fully incorporated herein.

13. Plaintiff is an African American female. Plaintiff was more than qualified for the position in the Clinique Beauty Department that she applied for. Plaintiff suffered an adverse employment when the Defendant failed to re-hire her. Defendant re-hired two similarly situated white females, Katie Beverly and Dusti West; however, Defendant refused to re-hire Plaintiff.

14. The Defendant violated Title VII and 42 U.S.C. § 1981 by unlawfully discriminating against Plaintiff because of her race.

15. The unlawful actions of the Defendant complained of above were intentional, malicious, and taken in reckless disregard of the statutory rights of Plaintiff and give rise to both compensatory and punitive damages.

PRAYER FOR RELIEF

WHEREFORE PREMISES CONSIDERED, Plaintiff respectfully prays that upon hearing of this matter by a jury, the Plaintiff be granted the following relief in an amount to be determined by the jury:

1. Back wages and reinstatement; or
2. Future wages in lieu of reinstatement;
3. Tax gross-up and all make-whole relief;
4. Compensatory damages;
5. Punitive damages;
6. Lost Benefits;

7. Pre-judgment and post-judgment interest;
8. Attorney fees and costs; and
9. Such other relief as the Court deems just and appropriate.

THIS the 13th day of April 2020.

Respectfully submitted,

ALEXANDRIA CARPENTER, Plaintiff

By: /s/Louis H. Watson, Jr.
Louis H. Watson, Jr. (MB# 9053)
Nick Norris (MB# 101574)
Attorneys for Plaintiff

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